

§ 102(b) as being anticipated by the prior art. Further, the elements described or suggested in the reference must be arranged as required by the claim, although the terminology need not be identical.²

Inasmuch as Comstock fails to describe or suggest each and every element of the foregoing claims, for at least the reasons more fully described below, applicant respectfully submits that the rejection of Claims 1, 2, 5-13, 16-25, and 28-33 under 35 U.S.C. § 102(b) is improper and should be withdrawn.

1. Rejections of Claims 1, 2, 5-13, and 16-23

As noted above, Claims 1, 2, 5-13, and 16-23 stand rejected as being anticipated by the door knob of Comstock. Applicant respectfully disagrees. Applicant respectfully notes that Comstock fails to teach or suggest "a gripping device including a first *interference surface*, the gripping device being selectively couplable to the actuation member and positionable between a locked position, wherein the gripping device *is coupled to the actuation member by interference of the first engagement surface with the first interference surface*," as recited in Claim 1 and similarly recited in Claim 13. [Emphasis added] Applicant submits that Comstock fails to teach or suggest an *interference surface* which couples the gripping device to the actuation member through *interference* with an engagement surface. The Office Action states that Comstock teaches a first engagement surface disposed on the lugs M (See FIGURE 7 of Comstock) and an interference surface disposed on a slot K "wherein the gripping device is coupled to the actuation member by interference of the first engagement surface with the first interference surface and the second engagement surface with the second interference surface."

Applicant respectfully disagrees for several reasons. First of all, referring to Figures 7 and 8 of Comstock, when the knob A is coupled to the neck C, the lugs M do not even touch the

² *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

slots K, and therefore they can not be in interference with one another as the Office Action states. Moreover, the lugs M pass along the slots K during insertion only, and once assembled, the lugs M reside within undercut recess B, and do not engage the slots K. In the words of Comstock, the "lugs are first entered in the knob slots K, and then turned into undercut recesses B." (See left Col., lines 37-42, of Comstock.) Thus, the lugs M do not even touch the slots K when the knob A is coupled to the neck C. Accordingly, Comstock at least fails to teach or suggest "a gripping device including a first interference surface, the gripping device being selectively couplable to the actuation member and positionable between a locked position, wherein the gripping device is coupled to the actuation member by interference of the first engagement surface with the first interference surface" as recited by applicant in Claim 1 and similarly recited in Claim 13.

Further, applicant asserts that Comstock also fails to teach placing a first engagement surface in interference with a first interference surface. Moreover, the Office Action states that Comstock teaches a first engagement surface disposed on the lugs M (See FIGURE 7 of Comstock) and an interference surface disposed on a slot K "wherein the gripping device is coupled to the actuation member by interference of the first engagement surface with the first interference surface and the second engagement surface with the second interference surface." However, even assuming the lugs M touch slot K when the door knob is assembled, which they do not as discussed above, they are not coupled together by interference of the first engagement surface with the first interference surface. As well known to those skilled in the art, interference coupling of parts requires the compression of the parts together. In stark contrast, in Comstock, the lugs M are freely rotatable within the undercut recess B. Since there is no interference coupling of the lugs M to any part, the rotation of the neck C is "prevented from rotating by a locking wire of the form shown in Figs. 1 to 6, which is straightened and enters slots in the

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knob." (See page 1, left Col., lines 42-47.) Thus, the locking wire is need to prevent rotation, since Comstock does not teach coupling "by interference of the first engagement surface with the first interference surface" as claimed by applicant.

Further still, applicant asserts that Comstock fails to teach or suggest a gripping device that is *positionable* to "an unlocked position, wherein the gripping device is selectively removable from the actuation member" as recited in Claim 13 and similarly recited in Claim 1. Moreover, in Comstock, during assembly of the door knob, a wire E is straightened, permanently locking the knob B to the neck C. Moreover, during assembly, the "bowed wire is entered in the opening F, and the neck is then entered in the knob, as shown in Figs. 1 and 5. The knob is then placed on a cupped block of lead or other suitable anvil. A set or punch, H, is dropped into the spindle hole until it rests on the bowed wire. (See Fig. 5.) A sharp blow on said set is then given, which straightens wire E and forces its ends outward into coincident chamber I, formed in the surrounding knob. (See Fig. 6.) When thus properly extended, the neck and knob are firmly locked together, and cannot be easily disconnected or loosened." (See page 1, right Col., lines 63-81) Thus, the knob B is permanently attached to the neck C and is prevented from being positionable into an unlocked position by the permanently deformed wire E. The knob B can not be separated from the neck C unless the wire E is destroyed, such as through drilling or cutting the wire. Thus, Comstock does not teach or suggest a "gripping device . . . *positionable* between a locked position . . . and an unlocked position, wherein the gripping device is selectively removable from the actuation member" as recited in Claim 13 and similarly recited in Claim 1 since the knob B is permanently held in the locked position by the wire E, and therefore is not positionable as claimed by applicant for selective removal. [Emphasis added]

For at least these reasons, individually and/or in combination, applicant submits that Comstock fails to teach each and every element of Claims 1 and 13. Accordingly, applicant

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respectfully requests that the 35 U.S.C. § 102(b) rejection of Claims 1 and 13, and those claims depending thereon, be withdrawn.

2. Rejections of Claims 24, 25, and 28-33

As noted above, Claims 24, 25, and 28-33 stand rejected as being anticipated by the door knob of Comstock. Applicant respectfully disagrees. Applicant respectfully notes that Comstock fails to teach or suggest "a gripping device having a first protrusion." Moreover, the Office Action states that Comstock teaches "a gripping device (a) having a first protrusion (k)." Applicant disagrees with this characterization of Comstock. Comstock clearly shows that element (k) is not a protrusion, but exactly the opposite, a slot, as well shown in Figures 1, 3, and 7, and as noted in specification in numerous locations, for instance at page 1, left Col., line 37. Applicant's careful review of Comstock has not indicated anywhere in the drawings or specification of Comstock that the slot can alternately be a protrusion as claimed by applicant. Thus, for at least this reason, applicant submits that Comstock fails to teach each and every element of Claim 24.

As further evidence that Comstock fails to teach or suggest each and every element of Claim 24, applicant notes that Claim 24 recites "wherein the gripping device is adapted to be selectively keyed upon the actuation member in either a first orientation or a second orientation by selectively interfacing of the first projection with the first protrusion." Applicant's review of Comstock, and as supported by the drawings and text of Comstock, shows that the knob A is keyed upon the neck C by selectively aligning an outward protruding member with a recessed member, i.e., the pair of *lugs* M with the pair of *slots* K, and not by interfacing two outward extending members, i.e., a *projection* with a *protrusion* as claimed by applicant. Thus, for at least this additional reason, applicant submits that Comstock fails to teach each and every element of Claim 24.

As still further evidence that Comstock fails to teach or suggest each and every element of Claim 24, applicant notes Claim 24 recites "an actuation member having a limit stop and a first projection . . . wherein the gripping device is . . . positionable between a locked position, wherein the gripping device is coupled to the actuation member by engagement of the first protrusion against the limit stop." The Office Action states that Comstock includes a first projection M (the lugs M of Figure 7) and a first protrusion K (the slots K of Figure 7). As discussed more fully above, when the knob A of Comstock is in a locked position relative to the neck C, the lugs M are disposed away from the slots K, as they are disposed in undercut recess B. Thus, inasmuch as the lugs M are spaced from the slots K when the knob A is locked to the neck C, the knob A is not coupled to the neck C by engagement of the slots K against the lugs M, since they (lugs M and slots K) are spaced from one another. Thus, Comstock fails to teach each and every element of Claim 24 for at least this additional reason.

Applicant asserts that Comstock fails to teach or suggest a gripping device that is *positionable* to "an unlocked position, wherein the gripping device is selectively removable from the actuation member" as recited in Claim 24. Moreover, as stated above, in Comstock, during assembly of the door knob, a wire E is straightened, permanently locking the knob B to the neck C. Thus, the knob B is permanently attached to the neck C and is prevented from being positionable into an unlocked position by the permanently deformed wire E. Thus, Comstock does not teach or suggest a "gripping device . . . *positionable* between a locked position . . . and an unlocked position, wherein the gripping device is selectively removable from the actuation member" as recited in Claim 24 since the knob B is permanently held in the locked position by the wire E, and therefore is not positionable as claimed by applicant for selective removal. [Emphasis added]

Rejections Under 35 U.S.C. § 103(a)

Claims 3, 4, 14, 15, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Comstock. Applicant respectfully disagrees. Claims 3, 4, 14, 15, 26, and 27 depend from Claim 1, 13, or 24, and are allowable for at least the reasons discussed above in connection with the independent claim from which they depend. Claims 3, 4, 14, 15, 26, and 27 are also submitted to be allowable because they include additional subject matter not taught or suggested by the cited and applied references, particularly when these recitations are considered in combination with the recitations of the claims from which these claims depend.

Moreover, as is well known, the Office Action bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Applicant submits that Comstock fails to teach or suggest all the claim limitations of Claims 3, 4, 14, 15, 26, and 27.

Although applicant agrees with the Examiner that Comstock "does not disclose that the engagement surfaces are inclined at an angle relative to the interference surfaces as claimed," applicant respectfully disagrees with the rest of the Office Action's characterization of the teachings of Comstock. First of all, the Office Action recites that "applicant does not state a change in shape (inclined engagement surface) of the claimed invention solves any relevant problem or is for a particular purpose." Applicant disagrees. The applicant clearly states in the application the problem solved and/or particular purpose served by the inclination of the surfaces relative to one another in reciting the following:

Each of the protrusions 128 include a laterally oriented distal edge, referred to as an interference surface 158. When the gripping device 104 is rotated from the unlocked position to the locked position, the interference surfaces 158 engage the engagement surfaces 140 in an interference fit arrangement. Due to the separation angle 142 (See

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FIGURE 4) present between the interference surfaces 158 and the engagement surfaces 140, the further the gripping device 104 is rotated in the direction of arrow 138, the more resistance to rotation is created by the "increased engagement" of the interference surfaces 158 with the engagement surfaces 140. By varying the magnitude of the separation angle, the resistance force generated by the interference fit of the interference surfaces 158 with the engagement surfaces 140 may be manipulated. For instance, for more rigid materials or if decreased resistance forces are desired, smaller separation angles may be used. For more elastic materials or if increased resistance forces are desired, larger separation angles may be used. (See page 8, lines 4-16)

Thus, at least this passage of applicant's disclosure clearly shows the purpose and problem solved by inclining interference surface relative to the engagement surface, i.e., to regulate the resistance force generated by the interference of the surfaces.

Further, applicant points out that Comstock does not teach or suggest an interference surface, since, as discussed in detail above, the lugs M of Comstock freely rotate within the under recess B, and do not include an interference surface for coupling the actuation member to the gripping device through interference (i.e., compression of one part against another). Inasmuch as the lugs M do not include an interference surface, and thus do not couple to the knob A through in an interference based coupling of the parts, applicant fails to see how it would be obvious to one ordinary skilled in the art to incline an engagement surface relative to an interference surface since 1) the lugs M do not operate to perform an interference coupling of the neck to the gripping device, and 2) even if the lugs M did operate in such a manner, which they don't, applicant fails to see the teaching or motivation in Comstock to incline one of the surfaces to the other as claimed.

Accordingly, for these reasons, and for the same reasons discussed above for the rejections of Claims 1, 13, and 24 under 35 U.S.C. § 102(b), applicant asserts that Comstock fails to teach or suggest each and every element of Claims 3, 4, 14, 15, 26, and 27 which depend from

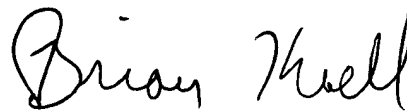
Claims 1, 13, and 24. Accordingly, applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of Claims 3, 4, 14, 15, 16, and 27 be withdrawn.

CONCLUSION

In view of the foregoing remarks, applicant respectfully submits that the present application is in condition for allowance. Reconsideration and reexamination of the application, as amended, and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact applicant's undersigned attorney at the number below.

Respectfully submitted,

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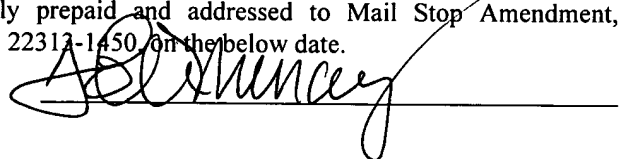


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